

On 5/2/2019, on a motion by Commissioner Durkin, seconded by Commissioner Lawrence, the Commission voted unanimously, 5-0, to approve these minutes as presented.

## CONSERVATION COMMISSION MEETING MINUTES

April 18, 2019

**Members Present:** Rick Bishop (Chairman), Tom Durkin, Ellie Lawrence, Paul Huggins, Cris Luttazi, and Patricia Mulhearn

**Member(s) Absent:** Philip Johnston

**Staff:** Kelly Grant – Conservation Administrator

**Start Time:** 6.30pm

YARMOUTH TOWN CLERK

'19MAY6AM11:13 REC

---

### Notice of Intent:

John M. Aubin, Jr., **117 Pawkannawkut Dr.**, South Yarmouth, proposed elevation of a dwelling onto floodzone-designed foundation; construct deck within a riverfront area and land subject to coastal storm flowage. Mr. Dan Ojala of Down Cape Engineering represented the applicant and presented the proposed work. A native vegetated strip will be added along the top of the bulkhead. Commissioner Durkin asked about replacing the drive with a pervious surface. Mr. Ojala responded that they propose to leave the driveway as it is. Commissioner Luttazi asked for clarification on the breakout panels proposed. The panels are designed to push in during storm flooding. There is little risk of significant wave energy in this area so they should function well without becoming storm projectiles. Commissioner Lawrence made a motion to issue an Order of Conditions approving the project with the following conditions: 1-6, 7-12, 17, 18, 29 (4 foot buffer, 3 growing seasons), 30, 31, 37, and, the deck shall not to be enclosed for future habitation. The motion was seconded by Commissioner Mulhearn. The motion carries unanimously.

Jeff Colby, Town of Yarmouth DPW, **Bayview and Somerset Streets**, West Yarmouth, proposed construction of stormwater BMPs within buffer zone of a coastal wetland and coastal beach resource areas. Mr. Nick Cristofori of CEI represented the applicant and presented the proposed work. The stormwater BMP project is the first phase in an improvement project for a stormwater BMP at Bayview Street. It includes an improved stormwater treatment system for Bayview Beach parking lot and Somerset Street. The second phase of the project will connect the culvert to Bayview Pond to improve pond flushing. The Town plans to move forward with Phase II in 2019/2020. The CA asked for clarification on the outfall pipe as it will extend further in Phase II. Mr. Cristofori confirmed that the shorter outfall is to avoid permitting issues for Phase I, but the outfall will be extended to allow for tidal flushing of the pond. Under Phase II, stone will be placed around the outfall. Commissioner Durkin asked if the existing culvert to the west will be removed. Mr. Cristofori confirmed that it will be either removed or capped, and all flow will be through the new culvert to the south. Ms. O'Reilly from 174 Bayview Road asked if the culvert will carry both stormwater and Bayview Pond water. Mr. Cristofori confirmed that under Phase I it will carry just stormwater and after Phase II it will carry both. Mr. Dan Ojala in the audience asked if there is/was tidal flushing of the pond. Mr. Cristofori confirmed there was but the beach has built up and blocked the tidal flow from the culvert. The stormwater will flow in one direct only; the pond will become more brackish as tidal flushing improves. A tide gate may be necessary for large storms.

Commissioner Luttazi asked if there will be issues with winter storms on the stormwater BMP. Mr. Cristofori responded that he didn't anticipate any negative impacts. A tide gate can be